Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Opinion 83 (1977)[1]

Fourth period of supervision of the European Social Charter

Parliamentary Assembly

The Assembly,

1. Having regard to Part IV of the European Social Charter, and especially to Articles 28 and 29;

2. Having examined the conclusions of the Committee of Independent Experts relating to the supervision of the application of the Charter during the period 1972-73, and having also taken the fourth report of the Governmental Committee on the European Social Charter into consideration ;

3. Recalling the terms of its previous opinions on the supervision of the application of the Charter over the first three two-year periods, and in particular its Opinion No. 71 (1975), concerning the third cycle of supervision ;

4. Welcoming the progress made with the effective application of the Charter by the contracting parties, but finding that in a number of states such application still leaves something to be desired ;

5. Welcoming also a recent decision of the Committee of Ministers to put into effect the procedure set out in Article 22 of the Charter, which envisages the submission of reports concerning the provisions of the Charter which contracting parties have not accepted ;

6. Whereas the implementation of a whole series of measures advocated by the Charter is of particular importance in a period of recession,

7. Regrets once again that the Committee of Ministers has so far made no formal recommendation to the contracting parties in accordance with Article 29 of the Charter, even in cases where a provision accepted by a contracting party has not been applied ;

8. Recommends that the Committee of Ministers make recommendations to the following states for the strict application of the European Social Charter in respect of the articles mentioned :

Austria (Article 8.2) ;

Denmark (Article 8.1) ;

Ireland (Article 2.4. and Article 8.1) ;

Italy (Article 13.1) ;

Norway (Article 19.6) ;

the United Kingdom (Article 8.1 and Article 19.4 and 6) ;

9. Proposes that the Committee of Ministers, in accordance with Article 29, invite the states concerned to make their legislation and practice conform to the provisions of the Charter in the instances referred to in the preceding paragraph, and appoint a period at the end of which they would be required to report on the measures taken to that end ;

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1. See Doc. 3949, report of the Committee on Social and Health Questions. Text adopted by the Assembly by the tacit adoption procedure on 26 April 1977.

10. Proposes that the Committee of Ministers communicate to the states concerned, by way of suggestions, the other observations of the Committee of Independent Experts, and in particular to Austria, Italy, Norway and Sweden those relating to the application of Article 4.3 of the Charter, on the right of men and women workers to equal pay for work of equal value.